

THE NATIONAL ARCHIVES  
LITTERA  
SCRIPTA  
MANET  
1934  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME I NUMBER 48

Washington, Wednesday, May 20, 1936

## PRESIDENT OF THE UNITED STATES.

### NATIONAL MARITIME DAY

By the President of the United States of America

#### A PROCLAMATION

WHEREAS on May 22, 1819, the steamship *The Savannah* sailed from Savannah, Georgia, on the first successful trans-oceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation; and

WHEREAS Public Resolution 7, Seventy-third Congress, approved May 20, 1933, provides, in part:

"That May 22 of each year shall hereafter be designated and known as National Maritime Day, and the President is authorized and requested annually to issue a proclamation calling upon the people of the United States to observe such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1936, as National Maritime Day by displaying the flag at their homes or other suitable places, and do direct Government officials to display the flag on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18<sup>th</sup> day of May, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 21701]

[Filed, May 19, 1936; 11:55 a. m.]

#### EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 6160 OF JUNE 7, 1933, PRESCRIBING RULES AND REGULATIONS RELATING TO THE ADMINISTRATION OF THE EMERGENCY CONSERVATION WORK

By virtue of and pursuant to the authority vested in me by the act of Congress entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933 (ch. 17, 48 Stat. 22), as amended by the Emergency Relief Appropriation Act of 1935 (ch. 48, 49 Stat. 115), section 1 of Executive Order No. 6160 of June 7, 1933, prescribing rules and regulations relating to the administration of the

emergency conservation work, is hereby amended to read as follows:

"(1) *Pay and allowances.*—It is hereby ordered that under regulations to be issued by the Director, Emergency Conservation Work, and in accordance with grades to be defined by him for the purpose of rewarding energetic effort and recognizing outstanding leadership, not more than 6 per centum of the authorized strength of any Civilian Conservation Corps Company may be paid a cash allowance of \$45.00 per month, and not more than an additional 9 per centum a cash allowance of \$36.00 per month."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

May 18, 1936.

[No. 73711]

[Filed, May 19, 1936; 12:43 p. m.]

## DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

### SPECIAL AIR TRAFFIC RULE

MAY 18, 1936.

Pursuant to Section 3 (e) of the Air Commerce Act of 1926, as amended, the following Special Air Traffic Rule is promulgated for the navigation and protection of aircraft during the period of the flights of the German zeppelin *Hindenburg* to the United States.

Effective during the period of these flights of the dirigible *Hindenburg* within the territory of the United States, private and commercial aircraft shall not be flown in closer proximity than one (1) mile to the dirigible *Hindenburg* when it is in flight, and one-half ( $\frac{1}{2}$ ) mile when it is moored.

ERNEST G. DRAPER,

Acting Secretary of Commerce.

[Filed, May 19, 1936; 9:58 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before Securities  
and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 15th day of May, A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

File No. 2-1023

IN THE MATTER OF ASSESSMENT BOND SERVICE, INC.

ORDER FIXING EFFECTIVE DATE OF AMENDMENT TO REGISTRATION STATEMENT AND DECLARING STATEMENT AMENDED IN ACCORDANCE WITH STOP ORDER

This matter coming on to be heard by the Commission upon the registration statement originally filed by Assessment Bond





Published by the Division of the FEDERAL REGISTER, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the FEDERAL REGISTER, The National Archives, Washington, D. C.

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Service, Inc., of 231 South LaSalle Street, Chicago, Illinois, on July 20, 1934, and upon amendments to said registration statement filed by said registrant on August 7 and 22, September 1, 8, 26, and 27, October 15 and 16, November 2 and 12, and December 1 and 18, 1934, and January 5 and 22, February 7 and 25, March 15 and 27, April 15, and June 22, 1935, and the Commission having duly considered the matter and now being fully advised in the premises

It is ordered that the amendment filed on June 22, 1935, shall become effective on May 15, 1936, and

It is declared that said registration statement has been amended in accordance with the Stop Order issued on June 14, 1935.

Attention shall be directed to the provisions of Section 23, Securities Act of 1933, which follow: "Neither the fact that the registration statement for a security has been filed or is in effect nor the fact that a stop order is not in effect with respect thereto shall be deemed a finding by the Commission that the registration statement is true and accurate on its face or that it does not contain an untrue statement of fact or omit to state a material fact, or be held to mean that the Commission has in any way passed upon the merits of, or given approval to, such security. It shall be unlawful to make, or cause to be made, to any prospective purchaser any representation contrary to the foregoing provisions of this section."

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[Filed, May 19, 1936; 1:12 p. m.]

## FEDERAL REGISTER ACT

[PUBLIC—No. 220—74TH CONGRESS; 49 STAT. 500-503]

AN ACT To provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed \$5,000 a year.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open for that purpose during all hours of the working days when the Archives Building shall be open for official business. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this Act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required in accordance with the provisions of this Act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the Act of May 11, 1922, and section 307 of the Act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

SEC. 4. As used in this Act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation,



rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by Act of the Congress: *Provided*, That for the purposes of this Act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

SEC. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this Act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon confirmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

SEC. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this Act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

SEC. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this Act shall be borne by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer. The purposes for which appropriations are available and are authorized to be made under section 10 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this Act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

SEC. 10. The provisions of section 2 shall become effective sixty days after the date of approval of this Act and the publication of the Federal Register shall begin within three business days thereafter: *Provided*, That the appropriations involved have been increased as required by section 9 of this Act. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent Act of the Congress or by Executive order to be published in the Federal Register.

SEC. 11. Within six months after the approval of this Act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within sixty days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

SEC. 12. Nothing in this Act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

SEC. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed insofar as they conflict herewith.

SEC. 14. This Act may be cited as the "Federal Register Act."

Approved, July 26, 1935.



